



## RESPONSES TO INFORMATION REQUESTS (RIRs)

[New Search](#) | [About RIR's](#) | [Help](#)

15 September 2008

### RUS102923.E

Russia: Conditions under which Soviet-born persons who emigrated from the territory of Russia before, during or after 1992 would be permitted to apply for citizenship of the Russian Federation; factors taken into account when processing such an application for citizenship, and whether the application would be treated as a mere formality or on a case-by-case basis

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

In a 5 September 2008 telephone interview with the Research Directorate, a second secretary at the consular section of the Embassy of the Russian Federation in Ottawa provided the following information.

Emigrants from the Russian Soviet Federative Socialist Republic (RSFSR) - that is, those who emigrated from the territory of the current Russian Federation prior to the dissolution of the Soviet Union - can be divided into two categories: legal and illegal emigrants. Legal emigrants originating from the RSFSR were registered at a Soviet consulate abroad, and this registration would continue to be considered valid by consulates under Russian Federation administration. Such emigrants wishing to obtain citizenship of the Russian Federation could thus present themselves at a Russian consulate and formally apply for Russian citizenship (Russia 5 Sept. 2008) according to the simplified procedures outlined in Article 14 of the Federal Law No. 62-FZ on Russian Federation Citizenship (*ibid.* 31 May 2002, Art. 14), provided that they meet any of the three requirements of this law:

have at least one parent who is a Russian citizen and resides on Russian Federation territory;

have had USSR citizenship, and having resided and residing in the states that have formed part of the USSR, have not become citizens of these states and as a result remain stateless persons;

are citizens of the states which have formed part of the USSR, have received secondary vocational or higher vocational education at educational institutions of the Russian Federation after July 1, 2002. (*ibid.*; *ibid.* 5 Sept. 2008)

Illegal emigrants originating from the RSFSR, such as tourists or students who decided to settle permanently abroad, might be recognized as citizens of the Russian Federation if they retained their Russian registration (*ibid.*). Soviet citizens living in the current territory of the Russian Federation when the Soviet Union was dissolved automatically became citizens of the Russian Federation (*ibid.*). Therefore, emigrants who maintained their RSFSR registration despite living outside the country were thus considered to be permanently residing on Russian territory in 1992, and they would have also become citizens of the Russian Federation (*ibid.*).

In order to verify whether a person's registration status as of 1992 would allow him or her to become a citizen of the Russian Federation, a Russian consulate abroad consults with the Federal Migration Service in Russia (*ibid.*). This investigation allows the consulate abroad to determine whether the person in question is indeed a Russian citizen because they were registered in Russia when the USSR broke up, or, conversely, that they are not Russian citizens because they had, for instance, cancelled their Russian registration upon emigration from the RSFSR (*ibid.*).

Citizens of the RSFSR who settled in another Soviet republic, would similarly not automatically be considered Russian citizens after 1991; their registration status would have to be verified by a local Russian consulate in consultation with the Federal Migration Service in the same way as residents of countries outside the former Soviet Union (*ibid.*). The Second Secretary, however, added that there were exceptional categories of persons, such as some members of the Navy and Armed Forces, who would be automatically granted Russian Federation citizenship even though they had been living abroad (*ibid.*).

The Second Secretary further stated that applications for Russian citizenship are never processed

automatically or as mere formalities, since every application is considered unique and thus assessed individually (ibid.). Russian authorities apply discretion when processing such an application, taking into account such factors as a biography and personal documentation (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

#### References

Russia. 5 September 2008. Embassy of the Russian Federation in Ottawa, Consular Division. Telephone interview with a second secretary.

\_\_\_\_\_. 31 May 2002 (as amended 2004). Federal Law No. 62-FZ on Russian Federation Citizenship. (Legislationline) <<http://www.legislationline.org/legislation.php?tid=11&lid=591>> [Accessed 5 Sept. 2008]

**The attached reproduction is a copy of an official work that is published by the Government of Canada. The reproduction has not been produced in affiliation with, or with the endorsement of the Government of Canada.**